



Larry M. Weil, Planning Director  
Steven Zimmer, Senior Planner

West Fargo Planning and Zoning Commission  
November 13, 2007 at 7:00 P.M.  
West Fargo City Hall

Members Present: Frank Lenzmeier  
Kim Keller  
Ross Holzmer  
Wayne Nelson  
Jason Gustofson  
Harriet Smedshammer

Members Absent: Terry Potter

Others Present: Larry Weil, Lisa Sankey, Steven Zimmer, Brock Storrusten, Dale Krenik, Wade Kline, Steve Iverson

The meeting was called to order by Chair Lenzmeier.

Commissioner Gustofson made a motion to approve the October 22, 2007 meeting minutes as printed. Commissioner Nelson seconded the motion. No opposition. Motion carried.

Chair Lenzmeier opened public hearing A07-57 Adoption of the West Fargo Comprehensive Plan.

Larry Weil reviewed the following information from the staff report:

The purpose of planning is to help manage change. It allows communities to guide change rather than being guided by it. Planning generally looks at the past, evaluates the present and projects into the future. The planning process is intended to assist in sound decision making, helping citizens and public officials integrate their short-term actions with long-term goals.

West Fargo's Comprehensive Plan represents an ongoing effort to actively guide the physical growth and development of the community. Planning for the future has been important to the City for several decades as the community has seen significant growth patterns. The City has been recognized as one of the fastest growing cities in the state for many years. West Fargo has completed comprehensive planning efforts in 1958, 1972, 1977, 1981, 1985 and 2000.

The Comprehensive Plan is an officially adopted document that provides the City with the legal basis and the policy direction needed to create a sense of certainty about future land uses, environmental quality, and infrastructure improvements within the community. The plan will allow leaders and citizens to make informed decisions about the community's development over the next 10 to 20 years. Should the vision of the community change, an amendment to the Comprehensive Plan may be adopted following careful study and hearings before the Planning and Zoning Commission and City Commission.

The City's current Comprehensive Plan was adopted in April 2000. Since that time numerous amendments have been approved to the Land Use Plan map of the comprehensive plan. The majority of amendments were for development south of Interstate 94. A comprehensive study of the undeveloped area south of I-94 was undertaken from 2002-2004 with alternative land use plans developed for Planning and Zoning Commission and City Commission consideration. This resulted in the adoption of a new Land Use Plan map in 2005 for the area south of I-94.

Early in 2006 the City considered utilizing the services provided by the Fargo-Moorhead Metropolitan Council of Governments (FM Metro COG) to update the 2000 Comprehensive Plan. Generally, it is recommended that a comprehensive plan be evaluated every five years and updated every ten years; however, with the significant growth and development experienced since 2000, it seemed prudent to update the comprehensive plan sooner. The City has seen a population growth of

over 60 percent since 2000 and has more than doubled the size of the community in annexed area.

A Comprehensive Plan Steering Committee was established early on in the process to provide representative community feedback during development of the Comprehensive Plan. Additional public input opportunities were provided through a web page presence, community events, community input meeting, online community survey, focus group meetings, and community open house. The formal public hearings before the Planning and Zoning Commission and City Commission provide for additional input prior to adoption of the Comprehensive Plan.

Wade Kline, FM Metropolitan Council of Governments went through the draft Comprehensive Plan, describing the public input process, the strategic issues, goals & policies, land use, growth...

There were no comments from the public. The hearing was closed.

Larry stated that the Goal objectives need to be expanded to reflect diversity in housing with multiple family areas. Development on that basis to create a better mix through out the community, equitable distribution. He referred to Page 61, Goal #2, objective "g" and suggested taking the information from page 51 and expand on it.

Commissioner Nelson made a motion for approval with the Larry's suggested change. Commissioner Holzmer seconded the motion. No opposition. Motion carried.

Chair Lenzmeier opened public hearing A07-58 West Lake First Addition, a replat of all of Lot 1, Block 2 of Eagle Run 11<sup>th</sup> Addition, City of West Fargo, North Dakota.

Steven reviewed the following information from the staff report:

The property, which is located west of Cass County Highway #17 and south of 32nd Avenue West, was replatted and rezoned to Planned Unit Development for high density residential uses in May of 2003. A Planned Unit Development Amendment for a 78-unit apartment building was reviewed and approved by the City in June of 2004; an amendment for a second apartment building was approved in August of 2005. The applicant is now proposing to replat the property into 3 separate lots, each of which will contain one building. A high density multiple family use for the property is consistent with the Land Use Plan of the Comprehensive Plan.

The developer has submitted a preliminary plat, area plan and site plan for review. The property is located on the south side of 33<sup>rd</sup> Ave W and on the east side of 8<sup>th</sup> St W, in the Eagle Run area. The current owner wishes to divide the property into three (3) lots. The lot is currently 12 acres in size. As proposed lot sizes would be; Lot 1 – 188,342 ft<sup>2</sup>, Lot 2 – 135,769 ft<sup>2</sup>, and Lot 3 – 198,647 ft<sup>2</sup>. Lot 3 is developed with a 78 unit apartment building, along with garages and parking lots. The preliminary plat shows that lots 1 and 2 would be accessed off of 33<sup>rd</sup> Ave W from the north. Lot 2 requires a cross-access easement for access off of 33<sup>rd</sup> Ave W, which is shown on the plat as a 32 foot access easement. Staff believes this is adequate. Lot 3, which is currently developed, is shown to have two access points off of 8<sup>th</sup> St W and would not require a cross-access easement because it cannot be accessed from either Lots 1 or 2.

The site plan shows that there will be a garage building with stalls accessed from both lots 1 and 3. The International Building Code requires special construction for common walls on separate lots. Electrical power supply may also be an issue, as per IBC. These issues must be address with the city's Building Administrator. Water and sewer easements should also been shown on the plat prior to filing.

Parking requirements are figured using the number of bedrooms or floor area/440, whichever is greater. Parking requirements will be figured at the time a building permit is applied for. The proposed use is consistent with City Plans and Ordinances. City Departments were notified with comments provided by the Building Administrator and City Engineer regarding the Building Code and easements.

The request is conditionally approved on the basis that it is consistent with City plans and ordinances. The conditions of approval are as follows:

1. A revised drainage plan is received and approved.

2. Necessary easements are placed on the Final Plat.
3. Any building and/or electrical issues are resolved prior to issuance of a building permit.

There were no comments from the public. The hearing was closed.

Commissioner Gustofson made a motion for approval based on staff recommendations. Commissioner Keller seconded the motion. No opposition. Motion carried.

Chair Lenzmeier opened public hearing A07-59 Eagle Run Plaza 2<sup>nd</sup> Addition, a replat of Lot 3, Block 2 of Eagle Run 12<sup>th</sup> Addition, City of West Fargo, North Dakota.

Larry reviewed the following information from the staff report:

The property, which is located west of Sheyenne Street (Cass County Highway #17) and north of 32<sup>nd</sup> Avenue West, was platted and zoned for apartments and retail commercial lease space in November of 2004. The applicant proposes to subdivide the lot for sale to the City. The proposed subdivision and use are consistent with City plans and ordinances.

The developer submitted an area plan and subdivision plat. The developer proposes selling the north lot of the subdivision to the City to accommodate a satellite fire station. A conceptual site plan for the fire station was developed some time ago; however, the Fire Department is working on a more detailed plan to determine if the property proposed for sale can accommodate their needs. There may be a need to modify the size of the lot depending on the detailed site plan. The street rights-of-way were provided for in the original subdivision plat.

Park dedication was taken care of with the original subdivision plat. Though non-commercial or non-industrial uses would require additional dedication than was originally provided, the proposed use would be for a public facility, so it would not increase the dedication amount required.

Notices were sent to City departments, Park District and Post Office; and notice was placed in the paper. No comments were received other than the need for the Fire Department to develop a detailed site plan.

The proposed subdivision replat is approved on the basis that it is consistent with City plans and ordinances. The conditions of approval are as follows:

1. A revised drainage plan is received and approved by the City Engineer and Public Works Director.
2. Necessary easements are placed on the Final Plat.
3. A mail delivery plan is approved by the Post Office.

There were no comments from the public. The hearing was closed.

Chair Lenzmeier asked if this wouldn't be a useful place for ambulance services. Larry stated that additional emergency services have been discussed by the police and fire departments.

Commissioner Nelson made a motion for approval based on staff recommendations. Commissioner Smedshammer seconded the motion.

Commissioner Keller asked if the lot size is modified if this will come back to the Commission for review. Larry stated that as long as it is accommodated within the two lots, it wouldn't have to come back. The developer indicated agreement with the staff recommendations.

The commissioners then voted on the motion on the floor. No opposition. Motion carried.

Chair Lenzmeier asked about the City of Moorhead Easement shown on the plat. Larry stated that it's a main trunk line for Moorhead on the north. To the south is one for Xcel Energy.

Chair Lenzmeier opened public hearing A07-60 Rezoning from PUD: Planned Unit Development to CM: Heavy

Commercial/Light Industrial, part of Lot 2, Block 1 of Knutson's 2<sup>nd</sup> Addition (Proposed Lot 2, Block 1 of Gateway 2<sup>nd</sup> Addition), City of West Fargo, North Dakota.

Steven reviewed the following information from the staff report:

The property is located along the West Main Avenue Frontage Road, West of 21<sup>st</sup> St NW. The applicant is purchasing a parcel and adding it to a larger lot which is in the process of being replatted. At the October 22<sup>nd</sup> meeting, a plat for Gateway 2<sup>nd</sup> Addition was reviewed and approved; however, one of the lots being split was zoned Planned Unit Development, but the portion of the lot being sold will be attached to a lot which is zoned Heavy Commercial/Light Industrial. The proposed light industrial uses are consistent with plans and ordinances.

The City's Land Use Plan depicts the area properties as Light Industrial. The applicant proposes rezoning a portion of a replatted lot to match the existing zoning of CM: Heavy Commercial/Light Industrial. The area to be rezoned is the west 50' of Lot 2 Block 1 of the proposed Gateway Second Addition. The proposed rezoning would be appropriate as the larger part of the newly platted lot is presently zoned Heavy Commercial/Light Industrial. Property owners within 150' were notified and no comments were received.

Staff recommends approval on the basis that the request is consistent with City plans and ordinances.

There were no comments from the public. The hearing was closed.

Commissioner Smedshammer made a motion for approval. Commissioner Nelson seconded the motion. No opposition. Motion carried.

The next item on the agenda was 7. Continued - A07-48 Variance to allow increased signage for Lot 1, Block 1 of Butler 6th Addition (2130 3rd Avenue NW), City of West Fargo, North Dakota - Cook Sign.

Steven stated that this will be continued. The applicant is currently coming up with some zoning ordinance amendments regarding signage size.

Discussion was held regarding the proposed ordinance changes and concerns existing businesses would come back and ask for more signage.

Commissioner Smedshammer stated that the sign company knows our ordinances. Steven stated that they said they made a mistake. The business didn't know, but feel that in 2 years with new construction in the area, buildings to the south of theirs, nobody will be able to see the signage from Main Avenue.

Commissioner Gustofson asked how many people are going to come off the interstate, see the sign and decide to go to Trail King.

Steven stated that Cook Sign forgot to apply for a permit. They originally felt that 200 ft<sup>2</sup> was adequate, but the sign they installed was almost 350 ft<sup>2</sup>. Larry stated that this was the sales manager and he's applied for signs before. Discussion was held on requiring them to take the sign down.

Commissioner Nelson made a motion to continue the public hearing. Commissioner Keller seconded the motion. No opposition. Motion carried.

Commissioner Gustofson mentioned the poor condition of the old City Shop and asked if anything was going to be done with it. Brock stated that they were going to tear down a portion of it; however, the sanitation department was still going to be using part of the building.

Also under non-agenda, Larry mentioned discussing continuing education issues at future meetings.

Commissioner Nelson made a motion to adjourn. Commissioner Smedshammer seconded the motion. Meeting adjourned.